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OFFICE OF PETITIONS

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July 3, 2003

Application Number: 09/676/670
Applicant: Scherr, George H.
Art Unit: 1617
Title: Alginate Foam Compositions
This Application is a CIP of
09/301,228 04/29/1999 ABN
Examiner: Dr. Shahnam Sharareh

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

Enclosed please find my Petition for Revival of an Application for Patent Abandoned Unintentionally. The entire delay was the fault of the applicant who misinterpreted the period remaining for reply to Examiner's Final Action; such delay was totally unintentional.

Enclosed please find payment for the Petition as well as payment for the Reply Fee by way of Credit Card Payment Form PTO-2038.

Attached, for the record, is applicant's November 11, 2002 Response to the Examiner following Examiner's Final Action dated 10/22/2002.

Respectfully submitted,

George H. Scherr, Ph.D.

GHS/jj

Enc.

08/24/2003 11:15 FAX
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PTO/SB/64 (05-03)
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Paperwork Reduction Act of 1995. No persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b) Docket Number (Optional)

First named inventor: George H. Scherr

Application No.: 09/676/670

Art Unit: 1617

Filed: This Application is a CIP of
09/301,228 04/29/1999 ABN

Examiner: Dr. Shahnam Sharareh

Title: Alginate Foam Compositions

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 650.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ (37 CFR 1.17(m))

07/08/2003 AWONDAF1 00000081 09676670
01 FC:2453 650.00 OP
02 FC:1461 375.00 OP

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of

- ☐ has been filed previously on
- ☒ is enclosed herewith. Credit Card Payment Form PTO-2038

B. The issue fee of \$

- ☐ has been paid previously on
- ☐ is enclosed herewith.

\$375.00

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 60 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Adjustment date: 09/24/2003 AKELLEY
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02 FC:1461 -375.00 OP

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01 FC:2402 160.00 OP